

REMARKS

Claims 20-35, 37, and 47-55 are pending, and claims 48 and 51 are withdrawn pending the allowance of a generic or a linking claim. By this Amendment, claims 20, 27, 28, 34, and 47-51 are amended. Support for the amendment to claims 20, 28, 34, and 47 can be found for example, from page 6 line 25 to page 7 line 2 and from page 11 line 26 to page 12 line 6 of the original application. Claim 27 is amended for clarity. Claims 48-51 are amended for grammatical congruence. No new matter is added.

Specification Objections and Phone Interview

The specification is objected to for failing to disclose the surface capillary fiber having a channel along its outer side that extends substantially parallel to the length of the surface capillary fiber. Respectfully, the Applicants amended claims 20, 28, 34, and 47 to obviate the objection.

The applicant's representative Dr. Fahrni conducted a phone interview with Examiner Mehta on September 17, 2009. During the interview, Examiner Mehta advised to amend the claims using the specific language disclosed in the specification to describe the surface capillaries of the surface capillary fiber (SCF). The claims are amended accordingly. In view of the amendment, the objection is obviated. Withdrawal of this objection is respectfully requested.

35 U.S.C. §112 Second Paragraph Rejection

Claims 20-35, 37, 47, 49, 50, and 52-55 are rejected under 35 U.S.C. §112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 21-27, 53, and 54 are dependent of claim 20. Claims 29-33 are dependent of claim 28. Claim 35 is dependent of claim 34. Claims 49, 50, 52, 55 are dependent of claim 47.

Claims 20, 27, 28, 34, and 47-51 are amended to address the specific issues raised by the examiner. Specifically, independent claims 20, 28, 34, and 47 are amended to clarify that each of the surface capillary fiber of SCF has the claimed features. Claim 27 is amended to clarify the additional SCFs are associated with the catheter. Claims 48-51 are amended to clarify SCFs are used. In view of the amendment, the objection to 20-35, 37, 47, 49, 50, and 52-55 is obviated. The Applicants respectfully request the withdrawal of the rejection.

35 U.S.C. §102(b) Rejection

Claims 20-22, 24-35, 37, 47, 49, 50, 52, 54, and 55 are rejected under 35 U.S.C. §102(b) as being anticipated by DiCarlo et al. (U.S. Patent No. 6,929,626). Respectfully, the Applicants maintain that DiCarlo does not teach all of the elements of Applicants' claimed invention. Independent claims 20, 28, 34, and 47 are amended to more specifically point out the distinguishing feature of the SCFs used in the claims. SCF has capillaries along its outer surface running along at least a portion of the length of the SCF. Having open surface capillaries on SCF is the feature that distinguishes SCF from regular fiber.

The present application has devoted many sections throughout the application to illustrate this special feature. For example, a schematic cross sectional view of the SCF is shown in Fig. 1A of the original application to illustrate the multiple capillaries on the surface of the fiber. From Fig. 1A, a person with ordinary skill in the art would be able to interpret that the surface capillaries run along the length of the fiber. To further illustrate this distinguishing feature of the SCFs in the present application, an enlarged schematic perspective view of the SCF showing surface capillaries are presented below in Figure 1. Figure 1 is taken from a reference cited in the IDS submitted on June 20, 2008 entitled: "4DG? Fibers: http://web.archive.org/web/201103007001/http://fitfibers.com/4DG_Fibers.htm (Oct 30, 2001)".



Figure 1

Figure 1 clearly indicated the SCF has multiple capillaries along its outer surface running along at least a portion of the length of the SCF. The cross section of a regular fiber is presented in Fig. 1B of the original application to illustrate the clear difference between a conventional fiber and the SCF.

Nowhere in DiCarlo is the usage of SCF discussed or even suggested. Yet all the independent claims of the instant application clearly stipulated the usage of SCFs. Since DiCarlo does not teach the usage of SCF, DiCarlo therefore does not disclose each and every element of the claimed invention and does not render the claimed invention *prima facie* anticipated. Withdrawal of the rejection is respectfully requested. Applicants do not acquiesce with respect to the specific issues relating to the dependent claims, but these issues are not commented on further here due to the deficiencies with respect to the independent claims above.

35 U.S.C. §103(a) Rejections

I. Claim 23 is rejected under 35 U.S.C. §103(a) as being unpatentable over DiCarlo et al. in view of Samson et al. (U.S. Patent No. 6,066,149). Claim 23 depends from claim 20. As discussed in the above section, DiCarlo does not teach or suggest the usage of SCFs. Samson does not teach or suggest the usage of SCFs either. DiCarlo and Samson combined does not teach or suggest the usage of SCFs. DiCarlo in view of Samson therefore does not teach or suggest each and every element of the claimed invention and does not render claim 23 *prima facie* obvious. Withdrawal of the rejection is respectfully requested.

II. Claim 53 is rejected under 35 U.S.C. §103(a) as being unpatentable over DiCarlo et al. in view of Bucay-Couto et al. (U.S. Patent Application Publication No. 2003/0018306). Claim 53 depends from claim 20. As discussed in the above section, DiCarlo does not teach or suggest the usage of SCFs. Bucay-Couto does not teach or suggest the usage of SCFs either. DiCarlo and Bucay-Couto combined does not teach or suggest the usage of SCFs. DiCarlo in view of Bucay-Couto therefore does not teach or suggest each and every element of the claimed invention and does not render claim 53 *prima facie* obvious. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

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